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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,150	06/27/2003	Lannie R. Bolde	FIS920030222US1	1149
32074	7590	09/17/2004	EXAMINER	
INTERNATIONAL BUSINESS MACHINES CORPORATION DEPT. 18G BLDG. 300-482 2070 ROUTE 52 HOPEWELL JUNCTION, NY 12533			NGUYEN, TAI V	
			ART UNIT	PAPER NUMBER
			3729	

DATE MAILED: 09/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-4, drawn to an apparatus for moving attached die, classified in class 29, subclass 762.
 - II. Claims 1-17, drawn to a method for removing an attached die, classified in class 29, subclass 837.
2. Inventions II and I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the process of Group II of placing the work piece in a die carrier can be performed by hand.
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with Cioffi, James on 8/16/2004 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-4. Affirmation of this election must be made by applicant in replying to this Office action. Claims 5-17 of Group II have been withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Specification

6. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Following title is suggested: AN APPARATUS FOR REMOVING ATTACHED DIE.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Reimer et al (US 4,894,910).

AS applied to claim 1, Reimer et al disclose an apparatus, comprising: a pivoting means, having a pivot point (65, 75, Fig. 6) and first (62) and second (72) sides, the pivot point having a corresponding first y coordinate, the first and second sides

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positioned opposite to one another, the pivoting means capable of attaching to a die carrier, a shaft (11) attached to the first side of the pivoting means, a counterweight (61, 72) attached to the second side of the pivoting means; and a clamping (66, 76) means capable of attaching to at least one die (91), the die having a corresponding second y coordinate, wherein the first y coordinate is greater, or higher, than the second y coordinate.

As applied to claim 2, Reimer et al further disclose a die carrier (99, Fig. 6), the pivoting means attached to the die carrier, and a die positioned in the die carrier (see Fig. 6).

As applied to claim 3, Reimer disclose wherein the clamping (66, 76, Fig. 6) means is clamped on at least one die (91).

As applied to claim 4, Reimer disclose wherein the clamping means is clamped alone a centerline of the at least one die (see Fig. 6).

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

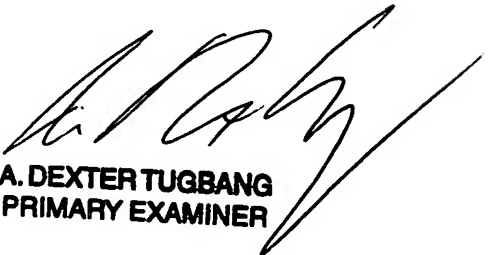
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tai Van Nguyen whose telephone number is 703-308-1791. The examiner can normally be reached on M-F (7:30-4:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 703-308-1789. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TN.
August 26, 2004



A. DEXTER TUGBANG
PRIMARY EXAMINER